

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

ALBERTO GONZALEZ,)
Petitioner,)
v.) Case No.: 5:18-cv-00972-KOB-JHE
DECATUR, ALABAMA, et al.,)
Respondents.)

MEMORANDUM OPINION

On July 8, 2019, the magistrate judge entered a Report and Recommendation, (doc. 31), recommending that the petition for writ of habeas corpus be dismissed with prejudice. No party filed any objections. The court has considered the entire file in this action, together with the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved.

Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of this court. The court finds the petition for writ of habeas corpus should be DISMISSED. The court will enter a separate Final Order.

This court may issue a certificate of appealability “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. 2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted). This

court finds Petitioner's claims do not satisfy either standard, so it will not issue a certificate of appealability.

DONE and ORDERED this 18th day of September, 2019.


KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE